

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Helen Jane Romero, et al.,

Plaintiffs,

v.

Nevada Department of Corrections, et al.,

Defendants.

Case No.: 2:08-cv-808-JAD-VCF

**Order Directing Status Report Re:
Representation of Defendant Trent
Howes**


On October 29, 2010, a Motion for Summary Judgment was filed on behalf of Defendants Nevada Department of Corrections, E.K. McDaniel, Michael Jason Stolk, Robert Otero, Mark Drain, Robert Chambliss, Glen Whorton, and Theresa Landon (collectively, “Moving Defendants”). Doc. 81. After a series of stays and supplementation, the Court conducted a hearing on the motion on October 1, 2013. At that hearing, the Court asked counsel for Moving Defendants whether the motion had been filed on behalf of Howes or only the Moving Defendants. Counsel for the Moving Defendants indicated her belief that she did not represent Howes and that he must be separately represented.

Howes’s name does not appear in the introductory paragraph of the summary judgment motion identifying the movants. Doc. 81 at 2. However, other filings in this case reflect that Howes—like the Moving Defendants—is represented by the Nevada Attorney General’s office, and the reply in support of the motion for summary judgment is filed on behalf of “Defendants,” without limitation. *See, e.g.*, Doc. 122. It appears that the passage of time since the original filing of this motion and the various changes in attorneys assigned

1 to this file have engendered confusion over the questions of whether Howes is represented
2 and by whom?

3 To ensure that Howes does not slip through a representational crack (or perhaps
4 rescue him from one), it is hereby **ORDERED** that counsel for the Moving Defendants shall
5 **file a Status Report no later than October 30, 2013**, clarifying whether the Nevada
6 Attorney General's office represents Defendant Howes and, if not, who does. The Status
7 Report should also clarify whether the Motion for Summary Judgment (Doc. 81) is brought
8 on behalf of Defendant Howes.

9 DATED: October 22, 2013.

10
11 
12 JENNIFER A. DORSEY
13 UNITED STATES DISTRICT JUDGE
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28